

**RESOLUTIONS SIGNED**

The President announced the signing in the presence of the Senate the following enrolled resolutions:

H.C.R. 18  
H.C.R. 22  
H.C.R. 30

**HOUSE BILL ON FIRST READING**

The following bill received from the House was read the first time and referred to the Committee indicated:

H.B. 82, To Committee on Finance.

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Parker and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Education might consider the following bills upon adjournment today:

H.B. 67  
S.B. 27

**MEMORIAL RESOLUTIONS**

H.C.R. 19 - (Carriker): In memory of Officer Perry Floyd Patton.

S.R. 128 - By Washington, Brooks: In memory of Bert Carson Armstead, Jr.

**CONGRATULATORY RESOLUTIONS**

S.R. 129 - By Barrientos: Commending Jack Leo for going above and beyond the call of duty for the Austin Police Department.

S.R. 130 - By Barrientos: Commending and applauding the civic career of Austin Police Captain Freddie Maxwell.

S.R. 131 - By Krier: Expressing admiration and respect to Paul Thompson of the San Antonio Express-News for his forthright and effective writing on behalf of the people of his beloved city and state.

**ADJOURNMENT**

On motion of Senator Brooks, the Senate at 10:48 a.m. adjourned until 11:00 a.m. tomorrow.

**TWELFTH DAY**

(Wednesday, July 12, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Truan, Uribe, Washington, Whitmire, Zaffirini.

Absent-excused: Dickson, Edwards, Glasgow, Green.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Our God and Provider, we pause this morning to offer thanks for this day and the blessings of good health. We pray today for those who work and learn and achieve. We thank You for all those who have guided, taught and disciplined us that we might be better. Help us, we pray, to keep balance in our lives and encourage us always to encourage one another.

In Your name, we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### LEAVES OF ABSENCE

Senator Dickson was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Edwards was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Glasgow was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Green was granted leave of absence for today on account of important business on motion of Senator Brooks.

#### BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

H.B. 32  
H.C.R. 19  
S.C.R. 13  
S.B. 28  
S.B. 45

#### REPORTS OF STANDING COMMITTEES

Senator Caperton submitted the following report for the Committee on Finance:

H.B. 29  
S.B. 86  
S.B. 84  
S.B. 74  
S.B. 26  
C.S.S.B. 65  
C.S.S.B. 59

Senator Brooks submitted the following report for the Committee on Health and Human Services:

S.B. 85

Senator Truan, Acting Chairman, submitted the following report for the Committee on Health and Human Services:

C.S.S.B. 99

Senator Montford submitted the following report for the Committee on State Affairs:

**H.C.R. 15**  
**S.B. 88**

Senator Parmer submitted the following report for the Committee on Intergovernmental Relations:

**H.C.R. 1**  
**S.B. 91**  
**S.B. 60**  
**S.B. 96**  
**H.B. 6**  
**H.B. 52**  
**H.B. 28**  
**C.S.S.B. 70**

Senator Parker submitted the following report for the Committee on Education:

**C.S.S.B. 27**  
**C.S.H.B. 67**

#### **MESSAGE FROM THE HOUSE**

House Chamber  
July 12, 1989

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 25**, Relating to the location of a new county jail facility.

**H.B. 26**, Making technical corrections to Chapter 837, Acts of the 70th Legislature, Regular Session, relative to the provision of emergency services in counties of 125,000 persons or less.

**H.B. 40**, Relating to the application of the reduced oil production tax rate for oil from certain enhanced recovery projects.

**H.B. 64**, Relating to the debts, records, ownership, location and license or permit period of certain alcoholic beverage permit or license holders; making an appropriation.

**H.B. 95**, Relating to authorizing hospital districts and emergency services districts to impose sales and use taxes.

**H.B. 99**, Relating to the appointment of reserve peace officers by certain water districts.

**H.B. 101**, Relating to the issuance of specially designed license plates for former prisoners of war, Pearl Harbor survivors and Purple Heart recipients.

**H.B. 103**, Relating to punishment for property damage to places of worship or certain community centers.

**H.B. 114**, Relating to the powers and duties of the Van Zandt County Waste Disposal District.

**H.B. 123**, Relating to the transfer of funds by certain State teaching hospitals and hospital districts and the use of those funds for the Medicaid disproportionate share program and making an appropriation.

**S.C.R. 16**, Honoring Homer E. Scace.

Respectfully,

**BETTY MURRAY**, Chief Clerk  
House of Representatives

### SENATE BILLS ON FIRST READING

The following bills were introduced, read first time and referred to the Committee indicated:

**S.B. 100** by Haley Intergovernmental Relations  
Relating to the location of a new county jail facility.

**S.B. 101** by Brown Natural Resources  
Relating to water supply, flood control, sewer service corporations and their rights, duties and powers, and amending Article 1434a, Vernon's Texas Civil Statutes, and containing other provisions relative to the subject.

**S.B. 102** by Barrientos Natural Resources  
Relating to the creation, administration, powers, duties, operation, and financing of the Williamson-Travis Counties Water Control and Improvement District No. 1.

**S.B. 103** by Harris Economic Development  
Relating to the terms of office of members of the Finance Commission of Texas.

### SENATE RESOLUTION 140

Senator Montford offered the following resolution:

WHEREAS, It is a distinct pleasure and great honor for the Senate of the State of Texas to congratulate Senator Cyndi Taylor Krier on the happy occasion of her 39th birthday on July 12, 1989; and

WHEREAS, A native of San Antonio, Senator Krier has been a noteworthy colleague in the Senate since 1984 when she became the first woman and first Republican ever elected to the Texas Senate from the San Antonio metropolitan area; and

WHEREAS, Representing a half million constituents in Bexar County, she has proven herself capable of the trust and responsibility bestowed on her; and

WHEREAS, The citizens of the 26th Senatorial District and the people of the entire State of Texas are indeed fortunate to have such a dedicated public servant working in their behalf; and

WHEREAS, A fashion trendsetter she can be seen lurking among her dress-coded colleagues in a loose cotton dress and tennis shoes from K-Mart; and

WHEREAS, She is easily recognized around the Capitol committee rooms by her weary staff members loaded with boxes of files trailing behind her; and

WHEREAS, Senator Krier's committee assignments for the 71st Legislature include the Senate Committees on Finance, Education, and Jurisprudence; she serves as Chairman of the Senate Finance Committee's Subcommittee on Education which oversees the funding for the largest portion of the state's budget—public and higher education; she also has been named Chairman of the Senate Jurisprudence Committee's Subcommittee on Family Code and Child Abuse; and Lieutenant Governor Hobby has selected Senator Krier to serve as one of the five senators on the Texas Legislative Council; and

WHEREAS, A consummate workaholic, she sacrificed her car, driving it to its death, to make it to a preliminary workers' compensation hearing; and

WHEREAS, She has worked tirelessly to improve the lives of those victimized through child abuse, family violence, and inhalant abuse, as well as focusing on alternative dispute resolution, taxpayers' rights, and education and water issues; and

WHEREAS, Despite her petite frame, she is a mental giant among her colleagues, effectively debating with the big boys of the Texas Legislature; and

WHEREAS, A visionary leader, she has found the successful combination of a 9-women-to-1-man staff that can get things done; and

WHEREAS, She has brought to the Senate her considerable experience in both state and federal government as a San Antonio civic leader; and

WHEREAS, Educated at San Antonio College, Trinity University, and The University of Texas, she serves Of Counsel with the law firm of Matthews and Branscomb and is active on the Board of Directors of the San Antonio Chamber of Commerce; and

WHEREAS, An astute attorney, she can recite the definition of trial de novo on command; and

WHEREAS, A devoted fan of The University of Texas Lady Longhorns, she was 6'6" and an all-star basketball player in her former life; and

WHEREAS, She was the only senator who, for the Boys Night Out Bill Hobby Trailride, sent her chap measurements to Senator Montford in an envelope marked "Personal and Confidential"; and

WHEREAS, The quintessential yuppie, whose very dog has its own monogrammed leash, this birthday releases her from her burdensome obligation to the San Antonio Young Republicans Club; and

WHEREAS, On behalf of the Texas Senate and Cyndi Krier's staff we would like to wish this short 'n sassy Senator a happy birthday; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, 1st Called Session, hereby congratulate the senator from San Antonio on reaching this important milestone and wish her a most enjoyable celebration; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as a memento of this special occasion and as a token of the great admiration of the Texas Senate.

The resolution was read.

On motion of Senator Sims and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Montford, the resolution was adopted viva voce vote.

#### **PRESENTATION TO SENATOR KRIER**

Senator Montford presented a birthday cake, decorated with candles and a small Texas flag, to Senator Krier as she received warm birthday wishes from her colleagues.

#### **MESSAGE FROM THE HOUSE**

House Chamber  
July 12, 1989

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**S.B. 62**, Relating to the confidentiality of the identity of certain crime victims.  
(As substituted)

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### SENATE RESOLUTION 142

Senator Bivins offered the following resolution:

**S.R. 142**, Congratulating Leah Kay Lyle of Plainview on being named Miss Texas 1989 and extending best wishes on her forthcoming participation in the Miss America Pageant.

The resolution was read and was adopted viva voce vote.

#### GUESTS PRESENTED

Senator Bivins introduced Ms. Lyle's parents, Paul and Linda Lyle, and escorted Ms. Lyle to the President's Rostrum.

The President presented to her an enrolled copy of **S.R. 142**.

#### SENATE RESOLUTION 145

Senator Barrientos offered the following resolution:

WHEREAS, At 5:30 a.m. on Tuesday, July 12, 1955, Barbara Ann Schlieff was born to Angie and Warren Schlieff of Houston and after that nothing was ever the same; and

WHEREAS, Somewhere in her great-grandparents' ranks, she is proud to point to the ancestor who founded the Southern Baptist Convention, or some such; and

WHEREAS, Barbara spent a charmed and blameless childhood, remaining an angel, according to her mother, until she turned 12; and

WHEREAS, Barbara is a proud graduate of Houston public schools, attending Judd Mortimer Lewis Elementary School, Albert Thomas Junior High School, and finally graduating with the Class of 1973 from Milby High School, where she was president of the Milby SOCAS, also known as the Milby Freaks; and

WHEREAS, She spent five of the best years of her youth at Sam Houston State University in Huntsville studying photography and riotous living, graduating in December, 1978, the year Huntsville went wet; and

WHEREAS, According to her mother, it costs \$200,000 to raise a kid but you can not find a legal market to sell one; and

WHEREAS, In January of 1979, Barbara came to Austin to begin her career with Senate Media Services where she has remained except for a brief stint as a photographer for the Houston Fire Department; and

WHEREAS, In these last 10 years, she has catapulted from the rank of photographer for the Texas Senate to photographer for the Texas Senate; and

WHEREAS, She has in the short span of her legal driving years managed to own and wear out eight cars, beginning with an Oldsmobile, then a Capri, then a Dodge Dart Sport which she managed to blow up by illegally trying to start the thing with an American penny, then an old red Dodge pickup truck, a low-rider version of the Mercury Montego, then an MG which surprisingly spent most of its time in the garage, and finally a Volkswagon camper and VW bug; the last two are still in her fleet but promise to give out any given day; and

WHEREAS, She remains an unreconstructed hippie, refusing to cut her hair on the theory that one day her look will be so out, it's in; and

WHEREAS, Barbara is widely noted for her kind and generous nature which has won her the undying love and loyalty of her many friends and the title of "soft

touch of the decade" in some circles, in which she is known to move at glacial speed; and

WHEREAS, Her bite is not worse than her bark, but it's bad enough; and WHEREAS, Barbara finally admits this year to being 34, having been in her early thirties longer than anyone on record; and

WHEREAS, Her many friends among the members of the Texas Senate and the Senate staff admire her as a true red, white, and blue Texan, who would never burn a Texas flag; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, 1st Called Session, hereby congratulate Barbara Ann Schlieff on the momentous occasion of her 34th birthday and wish her a joyous celebration; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as a memento of this special day with all best wishes from the Texas Senate.

The resolution was read and was adopted viva voce vote.

#### GUEST PRESENTED

Barbara was extended congratulations from the Senate and was presented an enrolled copy of S.R. 145 by the President.

#### GUEST PRESENTED

Senator Haley, on behalf of Senator Dickson, was recognized and presented Dr. Ralph Bailey of Gatesville.

The Senate welcomed Dr. Bailey, a participant in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, and expressed appreciation for his contributions today.

#### MESSAGE FROM THE HOUSE

House Chamber  
July 12, 1989

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 107, Relating to the creation and funding of certain local programs for the assistance of crime victims.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### HOUSE BILLS ON FIRST READING

The following bills received from the House were read the first time and referred to the Committee indicated:

H.B. 123, To Committee on Health and Human Services.

H.B. 114, To Committee on Natural Resources.

H.B. 107, To Committee on Jurisprudence.

H.B. 103, To Committee on Criminal Justice.

H.B. 101, To Committee on State Affairs.

H.B. 99, To Committee on Natural Resources.

H.B. 95, To Committee on Finance.

**H.B. 64**, To Committee on Economic Development.  
**H.B. 40**, To Committee on Finance.  
**H.B. 26**, To Committee on Intergovernmental Relations.  
**H.B. 25**, To Committee on Intergovernmental Relations.

#### **SENATE RESOLUTION 146**

Senator Brooks offered the following resolution:

**S.R. 146**, Requesting the Texas congressional delegation to support the creation of new Medicaid options and requirements to allow Texas to extend State and local resources to obtain a fair share of federal matching funds.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

#### **SENATE BILL 20 WITH HOUSE AMENDMENT**

Senator Brooks called **S.B. 20** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

#### **Floor Amendment - McKinney**

Amend **S.B. 20** as follows:

(1) On page 2, strike lines 3-6 and renumber subsequent sections of the bill accordingly.

(2) Beginning on page 3, line 20, strike Sections 2 and 3 of the bill and renumber subsequent sections of the bill accordingly.

The amendment was read.

On motion of Senator Brooks and by unanimous consent, the Senate concurred in the House amendment to **S.B. 20** viva voce vote.

#### **SENATE RULE 7.22(b) SUSPENDED**

On motion of Senator Leedom and by unanimous consent, Senate Rule 7.22(b) was suspended as it relates to the House amendment to **S.B. 62**.

#### **SENATE BILL 62 WITH HOUSE AMENDMENT**

Senator Leedom called **S.B. 62** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

#### **Committee Amendment - Guerrero**

Amend **S.B. 62** by striking all below the enacting clause and substituting in lieu thereof the following:

SECTION 1. Subchapter D, Chapter 35, Business & Commerce Code, is amended by adding Section 35.54 to read as follows:

**Sec. 35.54. USE OF CRIME VICTIM INFORMATION FOR CERTAIN PURPOSES PROHIBITED.** (a) In this section, "crime victim information" means information that is collected or prepared by a law enforcement agency that identifies or serves to identify a person who, according to the records of the law enforcement agency, may have been the victim of a crime in which physical injury to the person occurred or was attempted or in which the offender entered or attempted to enter the dwelling of the person.



(b) A person who has possession of crime victim information that the person obtained or knows was obtained from a law enforcement agency may not use the information to directly contact a crime victim or a member of the victim's family for the purpose of soliciting business from the victim or family member.

(c) The attorney general may bring an action against a person who violates Subsection (b) of this section pursuant to Section 17.47 of this code.

SECTION 2. Subdivision (23), Subsection (a), Section 3, Chapter 424, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-17a, Vernon's Texas Civil Statutes), as added by H.B. No. 2481, Acts of the 71st Legislature, Regular Session, 1989, is repealed.

SECTION 3. This Act takes effect immediately, except that Section 1 of this Act takes effect January 1, 1990.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force according to its terms, and it is so enacted.

The amendment was read.

Senator Leedom moved to concur in the House amendment to S.B. 62.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent-excused: Dickson, Edwards, Glasgow, Green.

#### **SENATE RULE 11.11 SUSPENDED**

On motion of Senator Brooks and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Health and Human Services might consider the following bills and resolution:

H.C.R. 7  
H.B. 123  
S.B. 94

#### **HEALTH AND HUMAN SERVICES COMMITTEE GRANTED PERMISSION TO MEET**

On motion of Senator Brooks and by unanimous consent, the Committee on Health and Human Services was granted permission to meet while the Senate was in session.

#### **HOUSE CONCURRENT RESOLUTION 1 ON SECOND READING**

On motion of Senator Leedom and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading:

H.C.R. 1, Directing the Dallas Area Rapid Transit Authority to implement the recommendations of the Texas Legislature.

The resolution was read second time and was adopted viva voce vote.

#### **HOUSE BILL 28 ON SECOND READING**

On motion of Senator Sims and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 28, Relating to the acquisition of land and facilities by a municipality for lease to public entities for public purposes or to private entities for manufacturing or commercial purposes; authorizing the issuance of municipal bonds.

The bill was read second time.

Senator Sims offered the following amendment to the bill:

Amend H.B. 28 as follows:

(1) Amend Section 1 by adding to Art. 835s a new Section 11 to read as follows:

"Sec. 11. This article does not preclude a municipality from making a grant of funds or property to an agency of the state for the purpose of assisting the agency in acquiring or developing a site for a prison or other law enforcement detention facility, whether located inside or outside the corporate limits of the municipality."

(2) Add a new Section 2 to read as follows:

"SECTION 2. Subchapter C, Chapter 252, Local Government Code, is amended by adding Section 252.050 to read as follows:

"Sec. 252.050. LEASE-PURCHASE OR INSTALLMENT PURCHASE OF REAL PROPERTY. (a) This section applies only to a lease-purchase or installment purchase of real property financed by the issuance of certificates of participation.

"(b) The governing body of a municipality may not make an agreement under which the municipality is a lessee in a lease-purchase of real property or is a purchaser in an installment purchase of real property unless the governing body first obtains an appraisal by a qualified appraiser, who is not an employee of the municipality. The purchase price may not exceed the fair market value of the real property, as shown by the appraisal."

(3) Renumber Section 2 as Section 3.

The amendment was read and was adopted viva voce vote.

On motion of Senator Sims and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

#### HOUSE BILL 28 ON THIRD READING

Senator Sims moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that H.B. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed viva voce vote.

#### SENATE BILL 86 ON SECOND READING

On motion of Senator Carriker and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 86, Relating to an appropriation to the University of North Texas for repair or replacement of facilities damaged by fire.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 86 ON THIRD READING**

Senator Carriker moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 86 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Dickson, Edwards, Glasgow, Green.

**SENATE BILL 91 ON SECOND READING**

On motion of Senator Bivins and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 91**, Relating to the county courts at law in Randall County.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 91 ON THIRD READING**

Senator Bivins moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 91 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed viva voce vote.

**SENATE BILL 96 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 96**, Relating to the jurisdiction of the Starr County Court at Law.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 96 ON THIRD READING**

Senator Zaffirini moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 96 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Dickson, Edwards, Glasgow, Green.

**COMMITTEE SUBSTITUTE  
SENATE BILL 70 ON SECOND READING**

On motion of Senator Haley and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 70**, Relating to the application of the professional prosecutors law to the district attorney of the 1st Judicial District; making an appropriation.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 70 ON THIRD READING**

Senator Haley moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 70** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 67 ON SECOND READING**

On motion of Senator Haley, on behalf of Senator Dickson, and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to third reading:

**C.S.H.B. 67**, Relating to the establishment of Central Texas University and to the development of The University of Texas—Pan American—Brownsville as a degree-granting institution; and to provide specifications for Coordinating Board Approval.

The bill was read second time and was passed to third reading viva voce vote.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 67 ON THIRD READING**

Senator Haley, on behalf of Senator Dickson, moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.H.B. 67** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 59 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 59**, Relating to the assessment and collection by, and the appropriation to, the Texas Department of Health of fees for certain regulatory,

licensing, and other functions of the department pursuant to laws enacted by the 71st Legislature at its regular session.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 59 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 59 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 65 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 65**, Relating to appropriations for the promotion, regulation, and coordination of aquaculture and the fish farming industry.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 65 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 65 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Dickson, Edwards, Glasgow, Green.

**COMMITTEE SUBSTITUTE  
SENATE BILL 99 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 99**, Relating to confidentiality and privilege requirements for certain information relating to impaired physicians.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 99 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.B. 99 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed viva voce vote.

**SENATE BILL 84 ON SECOND READING**

On motion of Senator Johnson and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 84**, Relating to appropriations of fees to the Board of Nurse Examiners and the Board of Vocational Nurse Examiners.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 84 ON THIRD READING**

Senator Johnson moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 84** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Dickson, Edwards, Glasgow, Green.

**SENATE BILL 26 ON SECOND READING**

On motion of Senator Barrientos and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 26**, Relating to an emergency appropriation to the state Commission on Human Rights.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 26 ON THIRD READING**

Senator Barrientos moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 26** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Dickson, Edwards, Glasgow, Green.

#### **REPORT OF STANDING COMMITTEE**

By unanimous consent, Senator Brooks submitted the following report for the Committee on Health and Human Services:

**H.C.R. 7**

By unanimous consent, Senator Johnson, Acting Chairman, submitted the following report for the Committee on Health and Human Services:

**H.B. 123**

**S.B. 94**

#### **HOUSE CONCURRENT RESOLUTION 7 ON SECOND READING**

On motion of Senator Truan and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading:

**H.C.R. 7**, Requesting the Congress of the United States to provide for the establishment and operation of a Veterans' Administration Hospital in the Rio Grande Valley of Texas.

The resolution was read second time and was adopted viva voce vote.

#### **RECORD OF VOTE**

Senator Washington asked to be recorded as voting "Nay" on the adoption of the resolution.

#### **HOUSE CONCURRENT RESOLUTION 15 ON SECOND READING**

On motion of Senator Montford and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading:

**H.C.R. 15**, Requesting that the Congress of the United States not increase the United States motor fuels tax.

The resolution was read second time and was adopted viva voce vote.

#### **RECORD OF VOTE**

Senator Washington asked to be recorded as voting "Nay" on the adoption of the resolution.

#### **HOUSE BILL 123 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 123**, Relating to the transfer of funds by certain state teaching hospitals and hospital districts and the use of those funds for the Medicaid disproportionate share program; making an appropriation.

The bill was read second time and was passed to third reading viva voce vote.

**HOUSE BILL 123 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that H.B. 123 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Dickson, Edwards, Glasgow, Green.

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Henderson and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Jurisprudence might consider the following bills at 10:00 a.m. tomorrow:

**S.B. 93**

**S.B. 95**

**S.B. 56**

**SENATE BILL 94 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 94**, Relating to the regulation of medical physicists; providing penalties.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 94 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that S.B. 94 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 27 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 27**, Relating to the filling of a vacancy on the governing board of a junior college district.

The bill was read second time.



Senator Zaffirini offered the following amendment to the bill:

Amend C.S.S.B. 27 by striking Sections 2 and 3 and substituting the following:

**SECTION 2.** (a) This Act applies to a vacancy filled on or after the effective date of this Act on the governing board of a junior college district covered by Section 130.082, Education Code, as amended by this Act.

(b) A vacancy filled on such a governing board before the effective date of this Act is covered by the law in effect when the vacancy is filled, and the former law is continued in effect for this purpose.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted viva voce vote.

On motion of Senator Zaffirini and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

#### **COMMITTEE SUBSTITUTE SENATE BILL 27 ON THIRD READING**

Senator Zaffirini moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 27 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed viva voce vote.

#### **HOUSE BILL 29 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business and Senate Rule 7.13 were suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 29**, Relating to the imposition of a premium receipts tax on surplus lines insurance and notice of that tax.

The bill was read second time and was passed to third reading viva voce vote.

#### **HOUSE BILL 29 ON THIRD READING**

Senator Caperton moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **H.B. 29** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Nays: Washington.

Absent-excused: Dickson, Edwards, Glasgow, Green.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Dickson, Edwards, Glasgow, Green.

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Parker and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Education might consider S.B. 97 upon adjournment today.

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Caperton and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Finance might consider the following bills upon adjournment today:

**H.B. 95**

**H.B. 40**

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Santiesteban and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Natural Resources might consider the following bills upon adjournment today:

**S.B. 89**

**S.B. 101**

**MEMORIAL RESOLUTIONS**

**S.R. 132** - By Glasgow: In memory of Leonard Johns of Flower Mound.

**S.R. 133** - By Glasgow: In memory of Charlie Lee Garrett of Gorman.

**S.R. 134** - By Glasgow: In memory of Vaughn Dunaway of Mineral Wells.

**S.R. 135** - By Glasgow: In memory of Stacey Bender of Granbury.

**S.R. 136** - By Glasgow: In memory of John T. Carpenter of Comanche.

**S.R. 137** - By Glasgow: In memory of Maud Irene Bailey of Cisco.

**S.R. 138** - By Glasgow: In memory of Roy H. Hill of Blanket.

**CONGRATULATORY RESOLUTIONS**

**S.C.R. 19** - By Montford: Recognizing September 25, 1989, as American Bill of Rights Day in Texas.

**S.R. 139** - By Glasgow: Commending the valor of Dick Siegel for his acts of heroism.

**S.R. 141** - By Harris: Extending congratulations to Northside People and its splendid staff on its inaugural issue.

**S.R. 143** - By Truan: Honoring Representative Eddie Cavazos who is serving his fourth term as the Member from District 35.

**S.R. 144** - By Truan: Recognizing the Texas Association of Chicanos in Higher Education for its contributions to the enhancement of higher education among Chicano students.

**ADJOURNMENT**

On motion of Senator Brooks, the Senate at 12:11 p.m. adjourned until 10:30 a.m. tomorrow.